

REMARKS

I. Status of Claims

Claims 1-14, 23-34, and 37-39 are pending in this application. By this Amendment, claims 1, 7, and 23 have been amended. In view of the above amendments and the following remarks, reconsideration and prompt early allowance are respectfully requested.

II. Rejection under 35 U.S.C. §103(a)

Claims 1-4, 6-9, 12, 14, 23-25, 33, 34, and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 6,199,180 to Ote *et al.* (hereinafter "Ote") in view of U.S. Patent No. 6,532,497 to Cromer *et al.* (hereinafter "Cromer"). This rejection is respectfully traversed.

In embodiments of the present invention, a client computer 74 is connected with a managing computer 80 over a network 78. The client computer 74 includes a computing component 82 having its own processor 88. The computing component 82 is connected with the managing computer 80 over a second network 84.

Ote discloses a computer management system including a managing computer 23, a computer to be managed 10, a service processor board (SVP) 12, and a remote managing computer 27. The managing computer 23 is connected to the computer to be managed 10 over a LAN 22. The remote managing computer 27 is connected with the computer 10 and the SVP 12 using a public line 25. Ote requires multiple managing computers and the SVP 12 shares a communication path 25 with the computer to be managed.

Even if combined, Ote and Cromer fail to disclose every feature of independent claims 1, 7 and 23. As noted in the Office Action, Ote lacks distribution of instructions over a second communication path. Furthermore, Ote fails to disclose the first communication path connecting

the client computer with the remote management machine over a first network and the computing component communicating with the remote manage machine over a second distinct communication path over a second network distinct from the first network.

Cromer fails to obviate the deficiencies of Ote noted above. Cromer discloses an intelligent network interface for monitoring and reporting client activity states. The Office Action refers to Col 1, lines 55-65 of Cromer for providing a separately powered communication path between the client and a remote system. However, the local logic that monitors interrupts communicates with the network manager over the same network as the client computer. Accordingly, Cromer also fails to disclose a client processor operable to control the client computer, wherein the client computer is monitored by the remote management machine over a first communication path and the first communication path connects the client computer with the remote management machine over a first network. Cromer also fails to disclose a computing component having a remote management processor operable to selectively control the client computer, independently of the client processor, in response to instructions received over a second distinct communication path from the remote management machine. Cromer fails to disclose the second distinct communication path connecting the computing component with the remote management machine over a second network distinct from the first network. Cromer makes no disclosure of multiple networks.

Neither Cromer nor Ote discloses a computer having an independent computing component, wherein the computer and the computing component independently communicate with a remote management machine over two separate communication paths and two separate networks. Accordingly, even if combined, Cromer and Ote fail to show each and every feature of the invention. In order to make out a prima facie case of obviousness, the references cited by

the Examiner must provide all of the elements of the invention as claimed and a suggestion to combine the disclosures of the various cited art references to make the claimed invention. *In re Geiger*, 815 F.2d 686,688 2 USPQ2d 1276, 1278 (Fed. Cir. 1987); *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984).

Claims 2-4 and 6 depend from claim 1 and define further distinctive features of the invention. Accordingly, claims 2-4 and 6 define over the art of record for at least the reasons stated above with respect to claim 1.

With regard to independent claim 7, Ote fails to disclose a computer readable medium having computer-executable components including a first communication component for communicating with and operable to selectively control a client computer after receiving instructions over a first communication path from a remote manager in a client networked environment and a second communication component for communicating with the remote manager independently of the client networked environment over a second distinct communication path in an alternative networked environment.

Claims 8, 9, 12, and 14 depend from claim 7 and define further distinctive features of the invention. Accordingly, claims 8, 9, 12, and 14 are allowable over the art of record for at least the reasons set forth above with respect to claim 7.

With regard to claim 23, Ote fails to disclose method steps including remotely controlling the client by communicating with the computing component over a first communication path and a first network using a remote manager and managing the client with the remote manager over a second communication path and a second distinct network using a second network component installed on the client computer.

Claims 24, 25, 33, 34, and 37 depend from claim 23 and define further distinctive features of the invention. Accordingly, these claims are allowable for at least the reasons explained above with respect to claim 23.

For the reasons explained above, applicants respectfully submit that claims 1-4, 6-9, 12, 14, 23-25, 33, 34, 37, and 39 are allowable over the art of record. Withdrawal of the rejection is therefore respectfully requested.

III. Rejections under 35 U.S.C. §103

Claims 13, 26-31 and 38 have been rejected under 35 U.S.C. §103 over Ote and Cromer in further view of U.S. Patent No. 6,578,077 to Rakoshitz et al. "hereinafter Rakoshitz". This rejection is respectfully traversed.

Rakoshitz discloses a traffic monitoring tool and fails to obviate the deficiencies of Ote Cromer. Even if combined, Ote, Cromer, and Rakoshitz would have failed to arrive at the claimed invention. Claims 13, 26-31, and 38 define further distinctive features of the invention and depend from claims 7 and 23 respectively. Accordingly, these claims are allowable for at least the reasons explained above with respect to claims 7 and 23. Withdrawal of the rejection is therefore respectfully requested.

IV. Conclusion

Applicants respectfully submit that the rejections have been overcome and claims 1-14, 23-34, and 37-39 are now believed to be in condition for allowance. Allowance of all pending claims is respectfully requested. However, if the Examiner believes that any issues remain, please feel free to contact the undersigned at the telephone number below. The Commissioner is hereby authorized to charge any additional fees that are required or credit any overpayment to Deposit Account No. 19-2112 referencing MFPCP 69390.

Respectfully submitted,

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